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we make a
difference

DRIVING AT WORK POLICY

OCTOBER 2022

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1. POLICY STATEMENT

- 1.1 Wyre Council is committed to the delivery of its obligations under Health and Safety legislation and recognises that it has a responsibility not only to protect staff who use motor vehicles on council business but to ensure that others are not put at risk by our work related driving activities.

2. INTRODUCTION

2.1 Policy Aims

- To minimise the number of accidents, incidents and injuries resulting from work related driving;
- To define managers' and individuals' responsibilities for work related road safety;
- To ensure risk in relation to work related driving is assessed in a systematic and ongoing way and that safe systems and methods of work are put in place to reduce the risk as far as is reasonably practicable
- To increase staff awareness of the risks associated with work related driving;
- To ensure that training is available to staff on how to manage the risks associated with work related driving;
- To ensure full reporting and recording of all accidents and incidents arising in the course of work related driving.

In addition the successful management of driving at work, whilst in compliance with legislation, will not only have a direct effect on reducing accident figures, but also a long term cost saving in operational budgets by reducing insurance costs, repair and maintenance bills, running costs, carbon footprint, emissions etc.

Good management will additionally reduce any negative effects on the councils' reputation that may arise from poor driving standards.

2.2 Scope of the Policy

These arrangements apply to all persons engaged in work-related driving activities whilst in the course of their employment for Wyre Council whether they be owner-drivers or users of vehicles that are leased or hired for use on council business or any vehicle owned by the council.

2.3 Definition of work related driving

Work-related driving is defined as: “any driving activities carried out by employees or volunteers in the course of their work whether it is on a frequent or occasional basis”.

‘Business Use’ – for the purposes of this policy business use shall mean:

- Any travel on behalf of the council once you have arrived at your usual place of employment and before you leave it at the end of your day’s work; and
- Any travel for the purposes of the council to a location other than your usual place of employment.
- Any travel for the purposes of the council from a location other than your usual place of employment to home or some other place on non-council business.

It shall not include the travel to and from your usual place of employment at the start and finish of your working day, or during any official absences from work e.g. lunch breaks unless the vehicle used is a council owned, hired or leased vehicle.

2.4 Authorisation to use a motor vehicle on council business

The use of any motor vehicle for council business will only be permitted when authorised by a Corporate Director or line manager in accordance with this policy and the associated procedure.

3. THE LEGAL POSITION

3.1 It is not intended to go in to detail to explain the whole Legislative Framework but the key areas of legislation are as follows:

The Health and Safety at Work etc. Act 1974 requires employers to ensure:

- So far as is reasonably practicable, the health and safety of all employees while at work;
- That all work equipment is suitable for its intended use and properly maintained and used i.e. that both employees and vehicles (including private vehicles) are fit to be on the road;
- That others are not put at risk by the council’s work-related driving activities.

This means that both management and employees can be prosecuted for road traffic accidents involving work-related journeys, even when the driver is using their own vehicle.

3.2 Management of Health and Safety at Work Regulations 1999

The Regulations require employers to carry out an assessment of the risks to the health and safety of employees, while they are at work, and to other people who may be affected by their work activities. The Regulations also require a periodic review of all risk assessments.

3.3 Corporate Manslaughter and Corporate Homicide Act 2007

This Act sets out a new offence to convict an organisation where a gross failure in the way activities are managed or organised results in a person's death. If found guilty companies, organisations and public bodies face considerable penalties and individuals potential imprisonment.

3.4 Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 2003 (S.I. 2003, No. 2695)

Prohibits drivers from using a hand-held mobile phone, or similar device, while driving (Note: "driving" also includes a stationary vehicle with the engine running). It also makes it an offence (e.g. for an employer) to "cause or permit" a driver to use a hand-held mobile phone while driving.

3.5 Other relevant legislation includes:

- The Road Traffic Act 1991.
- Road Safety Act 2006.
- Health Act 2006.
- Provision and Use of Work Equipment Regulations 1998 (S.I. 1998, No. 2306).
- Workplace (Health, Safety and Welfare) Regulations 1992 (S.I. 1992, No. 3004) – including the provisions of the Health and Safety (Miscellaneous Amendment) Regulations 2002 (S.I. 2002, No. 2174).
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (S.I. 1995, No. 3163).
- Health and Safety (First Aid) Regulations 1981 (S.I. 1981, No. 917).
- Working Time (Amendment) Regulations 2006 (S.I. 2006, No. 99).

4. RESPONSIBILITIES

4.1 The remainder of this document refers to the operational and safety requirements for the use of motor vehicles on council business and is set in four parts relating to different categories of staff and management.

- Responsibilities of drivers on council business i.e. The Grey Fleet
- Responsibilities of drivers of council-owned vehicles or vehicles hired or leased by the council
- Management responsibilities in relation to drivers.
- Management responsibilities for council-owned vehicles or vehicles hired or leased by the council.

5. RESPONSIBILITIES OF DRIVERS OF VEHICLES USED IN THE COURSE OF COUNCIL BUSINESS

5.1 Licence Requirements

All drivers must:

- Be holders of a licence valid for the category of vehicle which they are driving;
- Notify their manager if their drivers licence has been suspended or cancelled or has limitations placed on it;
- Make their licence available for inspection on an annual basis.

5.2 Insurance

Drivers who use their own vehicles must ensure that they have valid insurance for use on council business, and must make their insurance certificate available for inspection as required. Any change of vehicle or terms of insurance must be notified to Human Resources and authorised line manager immediately.

For the purpose of this policy the authorised line manager is a person nominated by your Director to authorise business travel.

Note:

Insurance held in the name of one partner or spouse may not cover both partners and spouses for business use unless this is specifically requested. The council will not accept liability for claims which are not covered by the driver's own insurance.

Council property such as computer equipment is insured under the council's policy, but this excludes theft from an unattended vehicle. Such thefts are unlikely to be covered by the employee's own policy. All such property should be removed from unattended vehicles. If this is impossible in specific circumstances equipment must be hidden from view and preferably locked in a boot.

5.3 Maintenance of Vehicles

Staff using their own vehicle(s) for official duties must ensure that they are in a roadworthy condition and that a valid MOT certificate is available for inspection on request. Drivers must also decline to drive any vehicle hired for use on official duty if they have reason to suspect that it is not roadworthy.

5.4 Legislative Requirements

Drivers must comply with all traffic and related road safety laws whilst driving on official duties including:

- Adhering to speed limits and the conditions of the Highway Code;
- The restrictions on the use of mobiles;
- The use of seatbelts;
- Not exceeding the maximum load weight for the vehicle;
- Ensuring that goods and equipment to be carried are properly secured.

The Highway code was updated on the 29th January 2022 this includes 8 major changes. All staff must make themselves aware of the changes listed below.

Hierarchy of Road Users.

People Crossing the Road at Junctions.

Walking, Cycling or Riding in a Shared Space.

Positioning in the Road when Cycling.

Overtaking when Cycling and Driving.

People Cycling at Junctions.

People Cycling, Riding a Horse and Driving Horse Drawn Vehicles on Roundabouts.

Parking, Charging and Leaving Vehicles.

5.5 The road user and the law

It is important to note that references to 'road' generally include footpaths, bridleways and cycle tracks, and many roadways and driveways on private land (including many car parks). In most cases, the law will apply to them and there may be additional rules for particular paths or ways. Some serious driving offences also apply to all public places, for example public car parks.

5.6 Fitness to Drive

Drivers must not drive, attempt to drive or be in charge of a vehicle unless they are medically fit to do so. Any medical condition or injury that is likely to have an adverse effect on the ability to drive should be reported to Human Resources and the authorised line manager immediately.

It is also the driver's responsibility to:

- Ensure their eyesight meets the requirements of the Highway Code, with or without corrective lenses.
- To notify the DVLA of any disability or condition which currently affects their fitness as a driver or which might do so in the future (unless the effect of the disability or condition is not expected to last more than 3 months).
- Ensure that they are competent in knowledge and ability to drive particularly when it may be some time since they undertook any formal instruction.

For disabled staff, any necessary reasonable adjustments must be made to the vehicle that they are driving for business use.

5.7 **Substance Misuse**

The problems of driving while under the influence of alcohol or drugs are well known, employees must not consume alcohol or illegal drugs before driving to work.

5.8 **Drinking whilst driving on council business is prohibited.**

Drinking heavily or late the night before means there is still a high possibility of being above the legal limit for driving the following morning. Any drivers found to be driving under the influence of alcohol or illegal drugs will be dealt with in accordance with the Council's Disciplinary Policy and the Council's Drugs and Alcohol in the Workplace Policy.

Any manager who suspects an employee is unfit to drive because they show evidence of being under the influence of alcohol or drugs must stop them from doing so. Testing may be appropriate in line with the Drugs and Alcohol in the Workplace policy. The Council also reserves the right to call the police if a person is suspected of driving whilst under the influence of alcohol or drugs.

Contraventions of this nature will be regarded as gross misconduct and could lead to dismissal.

5.9 **Smoking**

The council's Smoking Policy prohibits smoking in any council vehicle. An employee who uses their private car on council business must also refrain from smoking during those journeys.

The use of e-cigarettes is also prohibited in both council vehicles and private cars whilst on council business.

5.10 **Road Traffic Offences**

Drivers are required to report any driving accidents or incidents which occur whilst driving on council business or in a council owned vehicle, and convictions for any driving offences whether arising as a result of driving on council business or not.

Payment of any motoring-related penalties or fines and, if using a hire car, for the payment of any administration charges related to traffic offences imposed by the hire company will normally be the responsibility of the employee.

If you believe consideration should be given to the reimbursement of the penalty or fine, for example, if you have had cause to park a vehicle in a restricted area, without in your opinion causing an undue safety hazard, to unload heavy materials, then you will need to submit your case in writing to the relevant Corporate Director or Chief Executive. Please note employees should pay the fine before seeking reimbursement.

Any driver found breaching traffic or road safety law whilst on council business may face disciplinary proceedings.

Any driver found in charge of a vehicle under the influence of alcohol or drugs whilst on council business may be charged with gross misconduct and could therefore be dismissed from their post. The Council also reserves the right to call the police if a person is suspected of driving whilst under the influence of alcohol or drugs.

Vocational drivers (LGV) must report immediately to the Transport and Maintenance Team Manager, if you are found guilty of any new motoring offence. Wyre Council hold a Goods Vehicle, Operators License and have a duty to report all motoring offences committed in any vehicle to the Traffic Commissioner.

5.11 **Use of Mobile Phone/ Blue-tooth Devices**

It's a specific offence to operate a hand-held mobile phone or similar device while driving and the regulations apply equally to drivers of all types of motor vehicle (including tractors / ride on mowers etc.). The exact definition of "use" of a mobile phone and of "driving" is broader than we think. A driver of a vehicle that is off the road and not moving, may be considered to be driving if the engine is on. Therefore, a driver who stops their vehicle to use their phone, will need to turn their engine off first.

Although there are hands free/ blue tooth devices that are legally compliant any driver seen not to be in control of a vehicle whilst using a hands free phone etc. can be prosecuted for that offence.

Wyre Council therefore prohibits the use of hands-free phones of any description in Wyre Council vehicles. The use of hand-held phones and 2-way radios is prohibited in any vehicle whilst driving on council business.

The only situation in which it is permitted to use a phone while driving is to dial 999 or 112. This is only allowed if there is a genuine emergency and the driver is unable to stop and park their vehicle at that moment.

5.12 **Satellite Navigation Systems (Sat Nav)**

It is important that staff are not distracted by any devices they have in their car and this will also include sat navs. Do not adjust or operate devices while actually driving; routes in the sat nav should be set before the journey starts. If it is necessary to make adjustments or to input new information, only do so when stopped in a safe place.

5.13 Business Travel

In order to reduce the risk to safety, as well as the environmental and financial impacts, steps should be taken to eliminate all unnecessary business journeys.

Staff are required to:

- Consider alternatives to travelling and make optimum use of diary planning to minimise the number of journeys to be made.
- Use the most economic and efficient method of travel, taking into account the cost of travel, environmental impact and timing factors.
- Use a council vehicle whenever possible.
- Follow all safety advice and guidance in respect of vehicle cleanliness, use of hand sanitisers and other PPE as instructed.

5.14 Use of a bicycle for work travel

5.14.1 Officers who wish to use their bicycle for work purposes may do so if it is considered to be an efficient and effective mode of transport. It is expected that this will be more appropriate for short journeys only and approval must first be sought from their line manager. Consideration will be given to the journey in question and whether use of this form of transport will enable officers to carry out their duties in an effective and timely manner.

5.14.2 If using a bicycle for business travel the following measures must be observed:

- The bicycle must be in good, roadworthy condition and fit for purpose.
- Appropriate safety equipment must be worn such as helmet and fluorescent outer wear.
- Staff must ensure that the bicycle and any equipment carried (including council owned equipment such as laptop/tablet/phone) is covered by their own insurance in case of loss/accident whilst using the bicycle for business travel.

Staff are responsible for adhering to these requirements and must supply their own PPE and any other equipment required for the safe transport of themselves and any council equipment.

6. REIMBURSEMENT OF TRAVEL EXPENSES

6.1 Car Mileage Claims

Only persons entitled to use their vehicles on official business are allowed to claim travelling allowance. All such persons will have been designated by their Corporate Director as car users and will have been issued with an official log book by the Human Resources Section.

6.2 **Bicycle Mileage Claims**

If use of a bicycle is approved for business travel a mileage allowance in line with the relevant HMRC rates may be claimed. The same conditions apply to journeys undertaken by bicycle e.g. deducting normal home to work travel if the journey commences from home.

6.3 **Use of log book**

Full details of every journey must be recorded into the log book. Details must show:

- Date and times of journeys;
- Full details of journey (so as to allow independent verification of mileage claimed);
- Number of passengers;
- Purpose of journey;
- Miles travelled.

The log book is the sole detailed record of official journeys and must be kept on hand at all times and is subject to inspection on request.

The loss of a log book must be reported to Human Resources immediately.

6.4 All claims should be made in accordance with Wyre Council's Financial Regulations and Financial Procedure Rules. These guidelines apply to all attendances at meetings, courses, seminars etc. Mileage allowances are paid in accordance with the mid band of the Casual User NJC rates.

All travel and subsistence claims should be made monthly using either the HR21 system or the "Staff Travel and Subsistence Allowance" claim form. Officers claims submitted more than two months after the expenses were incurred will be paid only with the express approval of the relevant Corporate Director or Chief Executive and will be capped at 12 months. Claims will be paid on or around the 15th of each month with salary payment.

All claims must be authorised by the appropriate line manager who should be a nominated signatory. It is the driver's responsibility to ensure accurate recording of mileage and validity of claims.

Any change of vehicle or use of more than one vehicle should be clearly indicated in the log book and the mileages for different vehicles, should be shown separately on the travel claim forms.

6.5 When travelling long distances it is likely that second class rail transport will be cheaper than travel by car. Officers should be mindful of cost when planning transport for a long journey, although in certain cases public transport may not be the most efficient way to travel.

Officers should normally claim whichever is the cheaper of either public transport costs (eg. second class rail fare) or car mileage allowance, unless:

- It is neither practical nor cost-effective to travel by public transport (e.g. this would entail travelling the previous day and involve overnight accommodation, or include additional transport costs eg. taxi fares).
- The relevant Corporate Director or Chief Executive expressly authorises a particular method of travel due to specific operational circumstances (e.g. the shorter travelling time by car as opposed to public transport will make greater use of an officer's time).

6.6 The majority of claims will reflect situations where attendance is required during office hours at another location. The journey is from place of work to location and return to place of work, with the claim reflecting the actual mileage run. All deviations from this normal situation must be appropriately detailed in the Log Book provided, indicating both the total journey undertaken and the actual claim being made.

Where an employee travels to a location other than their normal place of work, either from home or on the way home, expense claims will be considered only in respect of any mileage incurred which is over and above their usual home to work mileage.

Any attempt to submit a false expense claim may be treated as gross misconduct and dealt with in accordance with the Council's Disciplinary Procedure.

6.7 **Expenses Claims and Tax**

All payments in excess of the HMRC rate for tax allowances (45 pence per mile from tax year 2011/12 to present date (June 2022) or 25 pence on mileage exceeding 10,000) will be classed as a taxable income and will be taken into consideration when calculating tax and national insurance liability at the end of each pay period.

Drivers who are authorised to use council vehicles to travel to and from their normal place of work can only be treated as having no taxable benefit provided that the records of authorised business mileage confirm that there was no personal use of the vehicle.

7. RESPONSIBILITIES OF DRIVERS OF COUNCIL OWNED VEHICLES OR VEHICLES HIRED OR LEASED BY THE COUNCIL

7.1 This section should be read in conjunction with Part A of this policy.

Use of Council Vehicles

Wyre Council vehicles must only be used to carry goods and passengers on authorised journeys. Authority shall only be considered to have been given when:

- The journey is for official Council purposes, and/or
- The employee is acting on the instruction of a duly authorised officer of the Council.

Only authorised passengers should be carried in council vehicles, these passengers will be as follows:

- Council employees on duty, or travelling to and from duty.
- Persons engaged on work for or on behalf of the council.
- Persons carried in the event of an emergency.
- Persons transported as part of a council service.
- Other persons as authorised by management.

It is the legal responsibility of a driver to ensure that passengers and goods are carried safely at all times, all passengers should wear seatbelts and all loads must be securely fixed and present no danger to the vehicle occupants or to third parties.

No goods will be carried in a council vehicle other than property which belongs to the Council, or tools, equipment and materials being used on behalf of the Council, or as otherwise authorised by management.

Council vehicles must be kept clean and tidy inside and outside at all times. All equipment must be properly stowed and the vehicle washed as often as is required to keep them clean.

7.2 **Authorisation for home to work travel.**

All drivers must obtain formal approval for using a Council vehicle for home to office travel, approval will only be given where there is an economic or operational reason for allowing this to happen.

Applications must be made using the “COUNCIL VEHICLES – authorisation for home to work travel form.”

Economic or operational reasons include instances where the:

- Home to work base distance is less than the distance between the nearest Council approved parking area and the work base.
- Council vehicle is required to provide a service outside normal working hours.
- Risk assessment concludes that the council vehicle is best parked at officer’s home address.

The authority for the use of a council vehicle for home to work travel can only continue whilst there is a legitimate business reason for doing so. Any changes in duties, work area in relation to current address etc should be reported to the line manager, the Transport & Maintenance Team Manager and/or relevant Head of Service/Corporate Director immediately.

7.3 **Drivers’ Checks**

To ensure council vehicles are used safely and kept in a roadworthy condition in compliance with current legislation it is the responsibility of all drivers to ensure that there are no obvious deficiencies in the vehicle.

Before a Council fleet vehicle is used for the first time each day (or first time by a driver that day), a thorough check must be made of its external and internal condition of the Operator's Licence that certain vehicles, such as refuse collection vehicles, are subject to a daily vehicle check. The Council applies this principal to all its fleet.

Drivers will rectify defects themselves where possible e.g. by topping up oil and coolant or cleaning mirrors or windows. Any remaining defects should be reported as soon as possible, but no later than the end of the shift.

If in the opinion of the driver a defect prejudices the safety of the vehicle, then it must not be driven and the defect/s reported to their line manager and Transport workshop immediately.

Tyres

Tyres should be checked carefully each day and any issues reported. Drivers are reminded that tyre problems should be dealt with in the same manner as a breakdown i.e. reported to the Transport workshop.

Drivers using their own vehicles must ensure the tyres have at least the minimum legal tread requirement and that tyres are adequately inflated.

Trailers

If you passed your car driving test from 1 January 1997, you are now allowed to tow trailers up to 3,500kg MAM (New Legislation 16th December 2021).

Although the new rules allow you to tow a 3,500kg trailer, all Drivers with the new entitlement must attend a certified Trailer Towing Course, before authorisation will be given to tow a trailer.

Before a trailer is towed, check that the vehicle and trailer are equipped with suitable towing attachments and electrical connections. Where required, a trailer board must be complete with lights, number plate and indicators. Ensure that breakaway cables are in good condition and always secured before moving off.

7.4 Vehicle Security

All Wyre Council vehicles must be garaged or parked overnight in designated parking areas in agreed locations.

Vehicles parked overnight away from the council premises must be legally parked where they will not inconvenience the public or any other road users. Parking problems should be reported to the line management.

A driver in charge of a council vehicle is responsible for the security of the vehicle and its contents whenever the vehicle is left unattended.

The following actions must always be taken on such occasions:

- The parking brake must be engaged.
- All doors and windows must be closed and locked.
- If fitted, anti-theft devices must be switched on.
- The ignition key must be removed from the vehicle.
- All valuable items should be removed from the vehicle overnight.

Vehicle keys must be kept secure at all times. Unless there is a legitimate business reason for retaining the keys overnight they should be stored in a secure area as agreed by the line manager.

Following these procedures will ensure that all unauthorised movement can be clearly identified by means of the tracker system.

7.5 Accidents, Damage or Theft:

The driver should:

- Immediately report any accident, damage or loss to the line manager, Transport & Maintenance Team Manager, Audit and Risk Team and where required the police;
- Under no circumstances admit liability or make offer payment to a third party or insurer;
- Obtain the full name and address of each driver and witnesses together with the registration number of the vehicle(s) involved;
- Ensure that the vehicle and its contents are secured until such times as the vehicle can be moved. If the Police have been involved the vehicle should only be moved once it has been established that their initial investigation has been completed.

Wherever possible photographs and a detailed sketch (showing road markings) may also assist if liability is subsequently disputed. 'Bump' cards are kept in all Council Vehicles which must be completed as soon as possible after an accident.

An incident report form giving full details of any incident must be submitted to the Transport & Maintenance Team Manager within 24 hours. All damage should be recorded in the vehicle effect book and be attended to as soon as possible.

7.6 **Defect Reporting Repairs and Breakdowns**

As soon as a defect is noticed or damage has occurred the Transport & Maintenance Team Manager and line manager should be informed immediately.

The Transport Section will either attend the vehicle at the roadside or arrange for recovery of the vehicle. Only the Transport Section is authorised to carry out repairs or to instruct a third party to carry out repairs on council vehicles.

7.7 **Training**

All users of official vehicles are given basic training by the Transport & Maintenance Team Manager. This training will include an introduction to the vehicle checking and reporting procedures.

7.8 **The Quartix Tracking System**

A Vehicle Tracker system has been installed on the majority of the council's vehicles. This helps to improve efficiency by assisting with workload planning and also protects our vehicle assets and employees. It will also provide valuable data to enable us to minimise our carbon footprint.

Staff who drive vehicles fitted with the Quartix system are issued with tracker keys which should be used for each journey. These keys identify the driver of the vehicle and it is therefore important that staff do not allow other drivers to use the vehicle whilst their tracker key is being used. Doing so would potentially leave the staff member liable for prosecution of any offence that may occur when the vehicle is being used by another driver.

How is it managed?

- All managers responsible for vehicles are able to scrutinise the system to identify vehicle location etc. They also receive regular performance reports that enable them to monitor driver journeys, speed, idling time (with or without engine running), etc.
- A manager is only able to monitor the operation of the vehicles that he or she has responsibility for.
- The Transport & Maintenance Team Manager and certain nominated officers have access to the complete system so as to monitor the overall performance of the fleet.

Wyre Council accept that staff are entitled to a degree of privacy in the work environment. It is therefore not intended to enter into intrusive monitoring, however

the council reserves the right to introduce direct monitoring if the performance reports indicate that a driver is in serious breach of the council's Policies and Procedures.

Any driver found breaching these policies and procedures or traffic/road safety laws whilst driving a council vehicle could face disciplinary procedure.

All managers and authorised users of the system are fully trained and aware of their responsibility under Data Protection legislation.

8. MANAGEMENT RESPONSIBILITIES IN RELATION TO DRIVERS

- 8.1 To ensure that all employees of Wyre Council remain fully compliant with legislation, arrangements must be in place to manage driving at work. Managers should be confident that as a minimum, systems are in place to control the risks that the systems are followed and correctly supervised and that compliance with policies and procedures is monitored.

In addition management of business mileage can help generate benefits in the following key areas:

- health and safety - ensuring fulfilment of duty of care for employees driving for work and avoiding financial and reputational damage linked to road-related accidents and injuries;
- environmental sustainability - reducing carbon emissions by removing unnecessary road mileage and transferring travel to public transport and pool and hire cars with lower emissions;
- financial efficiency - achieving direct cost savings by reducing the number of journeys made and promoting the use of the most cost effective method of transport in each case.

Some elements of Managing Driving at Work will be delivered corporately:

Human Resources

Inspection of documents for use of private vehicles
Occupational Health Assessments

Health & Safety

Current Health and Safety legislation
Accident/Incident Recording
Accident/Incident Investigation

Risk & Insurance

Provision of insurance cover
Claim management
Risk management information

The Transport & Maintenance Team Manager manages the Council Fleet including Operator Licensing, driver assessments, and maintenance of vehicles.

Managers must be able to satisfy themselves that all procedures for managing driving at work are being adhered to.

8.2 Who advises on Driving at Work?

The initial point of contact on matters regarding work related driving is the Transport & Maintenance Team Manager who will be able to advise on matters relating to vehicles and driving. The Audit and Risk Team, Human Resources and the Health and Safety Advisor will advise on risk to the council from its' driving activities and the measures required to manage those risks.

8.3 Document Checks

Managers must ensure that each driver:

- Holds a driving licence that is current and appropriate for the vehicle used for council business.
- Does not have a health problem, which may place a restriction on their ability to drive.
- Has successfully completed any assessment or training to drive the vehicle(s) associated to the post - **Council operated vehicle only**.
- Is aware of this policy and its associated guidelines.
- Has submitted all the required documentation in terms of driving licence, insurance for use of a private vehicle on council business, MOT certificates etc. to the Human Resources Section either at the recruitment stage or prior to the use of the vehicle.

The Human Resources section will assist managers by maintaining a system of annual checks on all drivers.

Checks will also be required following Road Traffic Accidents (RTA), changes in health or licence category restrictions which may rule the employee unable to continue driving a vehicle on behalf of the council. Managers are therefore required to inform Human Resources immediately they become aware of such instances.

8.4 Assessment of Risk

It is the manager's responsibility to conduct a risk assessment on individual driving duties. This may be of a generic nature linked to a particular post outline.

See arrangements for Risk Assessment, which are available on the council's intranet. Copies can also be obtained from the Human Resources team.

A post may require the employee to:

- Operate a vehicle owned, hired or leased by the council;
- Use their own means of transport;
- Hold a particular category of driver licence e.g. LGV.
- Provide evidence of a particular level of competence e.g. Minibus or Mini-digger;
- Drive in adverse weather conditions;
- Drive during unsociable hours;
- Travel beyond the council boundaries.

Once the Risk Assessment has been carried out, suitable control measures must be introduced to remove or reduce the associated hazards.

In addition the manager will:

- Deal with reports of any accidents, driving incidents and near misses.
- Ensure vehicle inspections are taking place.
- Ensure that all faults are being reported and repaired.
- Ensure that vehicles are kept clean and free from equipment that may hinder safe driving.
- Ensure that drivers do not put themselves unnecessarily at risk by driving beyond their capabilities or travel unnecessarily in adverse weather conditions etc.
- Identify any training needs and deal with any driving-related concerns raised by staff.

Where it is identified that a qualified driver poses a risk to him/herself and /or others then the Corporate Director will in consultation with the Occupational Health Advisor and Health and Safety Advisor determine whether or not that driver can continue to drive Council owned vehicles.

The Manager must:

- obtain as much relevant information as possible from the employee, including why their driving may be affected
- get advice from Human Resources if the proposed action is likely to have a significant effect on the individual's employment
- take them off driving duties until further clarification can be obtained
- refer them to the Council's Occupational Health Service to:
 - 1) confirm the employee's condition and that it stops them from driving
 - 2) advise whether the condition is permanent
 - 3) advise on the suitability of temporary or permanent redeployment
 - 4) advise on reasonable adjustments

8.5 Deterioration in driving performance

Managers must investigate formal written complaints based on observations of poor driving to assess whether driver assessment is necessary.

Get advice from Human Resources if you are considering any of the redeployment options below, as this could have a significant effect on the individual's employment.

Options available to the manager are:

- the employee has driving tuition
- to initiate the capability procedure
- they're redeployed temporarily to a job that doesn't involve driving
- they're redeployed permanently to a job that doesn't involve driving.

The Transport & Maintenance Team Manager monitors fleet vehicle incidents. Where a fleet vehicle driver has **two** incidents for which they're at fault, the Transport & Maintenance Team Manager will contact their manager who will take action in accordance with advice from Human Resources.

Where it is considered that an employee's driving performance has deteriorated to such an extent that the Council has no confidence in their ability to drive safely, and all the options described above have been considered, the Council may have no alternative but to dismiss the employee. This action will only be taken in consultation with Human Resources.

8.6 Monitoring Business Travel

Significant additional miles can be driven through poor planning, or sending vehicles to short notice appointments when they are not necessarily the nearest available.

It is the line manager's responsibility to ensure that:

- Staff travelling within work make maximum use of council vehicles or explore public transport options before using their private cars
- Staff members attending an event where public transport is not viable, seek to use the most economical form of transport and lift share where possible.
- Staff make optimum use of diary planning to minimise the number of journeys to be made.

8.7 Authorisation of Mileage Claims

It is the line manager's responsibility to check that:

- They agree that the journeys claimed for have been undertaken.
- The vehicle used is the one recorded as the authorised vehicle.
- The claim represents the most appropriate way of travelling, bearing in mind cost and time taken.
- The journey has taken place within the last 2 months.

All unreasonable looking claims should be challenged and refused if they cannot be justified. Any claim submitted after 2 months of the event must be referred to the relevant Corporate Director of Chief Executive (see section 6.3).

Most claims will be made via the HR21 system which is set up to recognise authorised line managers. Any other claims should be made on the “Staff Travel and Subsistence Allowance” form which will need to be signed by an authorised line manager. It is the line manager’s responsibility to ensure they are registered as an authorised signatory’ before authorising claim forms. The Human Resources section retain details of all current authorised signatories and will reject claims that are not correctly approved.

8.8 **Monitoring Use of Council Vehicles**

Data from the Quartix system should be scrutinised to ensure that drivers use the most direct routes and that the operational efficiency of the fleet is maximised through planning work schedules that make more efficient use of council vehicles.

From an environmental perspective the three most important issues to be managed are:

- Speeding – the excessive use of speed will significantly increase the vehicle’s fuel consumption and therefore the council’s cost and CO2 emissions.
- Engine Idle Time – an idling engine is extremely inefficient and therefore an unnecessary and costly waste of fuel.
- Out of Area Operations – although this is principally an operational management issue in terms of employee productivity, this information will also highlight where additional and potentially unnecessary mileage is occurring.

It should also be noted that driver behaviours such as aggressive acceleration and braking will also increase fuel consumption.

The reporting of these behaviours will be particularly useful as they can aid the targeting of driver training sessions and promote best practice.

8.9 **Dealing with Infringements**

Although the vehicle tracker system has been installed with a view to improving efficiency and work force planning, managers are required to deal promptly with any safety infringements identified.

Failure to deal with blatant breaches of traffic or safety law for instance could not only bring the council into disrepute but could constitute a major breach of Health and Safety Law. The Council has a duty of care towards staff and road users and persistent misuse of a council vehicle cannot be tolerated.

Breaches of this nature may be dealt with under the Disciplinary Procedure.

Vehicle accidents are one of the most common and serious causes of industrial injuries for office-based staff. Managers should:

- Include provisions related to safe driving in their Health and Safety Action Plans.
- Consider assisting staff to undertake refresher driving courses.

Not place employees under pressure which results in unsafe driving.

9. MANAGEMENT RESPONSIBILITIES FOR COUNCIL OWNED VEHICLES OR VEHICLES OWNED BY THE COUNCIL

9.1 **This section should be read in conjunction with Part C of this policy.**

The Transport & Maintenance Team Manager has responsibility for ensuring that council operated vehicles are:

- Procured following the council policy;
- Fit for the purpose intended;
- Correctly maintained and regularly inspected;
- Secure with systems in place for recovery in the event of breakdown or accident;
- Constructed and used in accordance with legislation.

9.2 **Vehicle Documentation**

The Transport & Maintenance Team Manager will:

- Ensure that all council vehicles are appropriately licensed and that they are tested by their due date, in line with MOT legal requirements.
- Make arrangements for an annual inspection of driving licences held by all employees permitted to drive council vehicles.
- Make all documents relating to council vehicles including the Wyre Council certificate of insurance and MOT test certificates available for inspection.

The Transport Section will also make arrangements for the following documents to be made available in every vehicle at all times:

- vehicle defect book;
- daily inspection checklist.
- Wyre Council's Drivers Handbook – Health and Safety at work
- Important Notice Sticker – Detailing the Drivers Responsibilities and Breakdown Information

9.3 **Management of the Quartix Tracking System**

The Transport & Maintenance Team Manager will be responsible for the overall management of the Quartix system and will use the data obtained to assist in maximising efficiency savings and minimising fleet emissions through mileage and fuel management.

9.4 **Vehicle Safety Inspections and Repairs**

All vehicles maintained by the council must be made available for safety inspections and routine servicing in accordance with the schedule provided by the Transport & Maintenance Team Manager.

The Transport Section should be contacted immediately if there is any doubt about the safety of a vehicle. They will either arrange for transfer of the vehicle to the Council Depot for repair or carry out an inspection of the vehicle at its location.

All hired vehicles must be checked for damage immediately on receipt and the hire company notified of any discrepancies in their record of vehicle damage.

9.5 **'O' Licence and special licence requirements**

The Council is required to hold a special licence to operate vehicles over 3.5 tonnes (an 'O' licence). The Transport & Maintenance Team Manager will be responsible for meeting the obligations covering inspection, servicing, operational management and record keeping on such vehicles.

10. EQUALITY IMPACT ASSESSMENT AND MONITORING

- 10.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

11. DATA PROTECTION

- 11.1 In implementing this policy, the council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection requirements.